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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

'08 MJ 01 16

UNITED STATES OF AMERICA,

Plaintiff,

V.

Maria Teresa POWELL-Salinas-Sanchez

Defendant.

BY

Magistrate Case No. _____

DEPUTY

COMPLAINT FOR VIOLATION OF

Title 8, U.S.C., Section

1324(a)(2)(B)(iii)-

Bringing in Illegal Alien

Without Presentation

The undersigned complainant being duly sworn states:

On or about **January 15, 2008**, within the Southern District of California, defendant **Maria Teresa POWELL-Salinas-Sanchez**, with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that an alien, namely, **Marco Antonio GONZALEZ-Martinez**, had not received prior official authorization to come to, enter and reside in the United States, did bring to the United States said alien, and upon arrival did not bring and present said alien immediately to an appropriate immigration officer at a designated port of entry; in violation of Title 8, United States Code, Section 1324(a)(2)(B)(iii).

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

SIGNATURE OF COMPLAINANT

Sara Esparagoza, United States Customs
and Border Protection Enforcement Officer

Sworn to before me and subscribed in my presence this **16th** day of **January 2008**.


UNITED STATES MAGISTRATE JUDGE

Probable Cause Statement

The complainant states that **Marco Antonio GONZALEZ-Martinez** is a citizen of a country other than the United States; that said alien has admitted he is deportable; that his testimony is material; that it is impractical to secure his attendance at trial by subpoena; and he is material witness in relation to this criminal charge and should be held or admitted to bail pursuant to Title 18, United States Code, Section 3144.

On January 15, 2008 at approximately 1235 hours, a female later identified as **Maria Teresa POWELL-Salinas-Sanchez (Defendant)** made application for entry into the United States from Mexico at the Otay Mesa, California Port of Entry via Secure Electronic Network for Travelers Rapid Inspection (SENTRI) vehicle lane two. Defendant was the sole visible occupant of a maroon 2005 Chrysler 300 Series. Defendant presented to a Customs and Border Protection (CBP) Officer a valid B1/B2 Laser Visa (Form DSP-150) and a SENTRI Program Card bearing her name and photograph. The Officer received a negative declaration and asked Defendant to open the vehicle's trunk. The Officer noticed Defendant became nervous and that her eyes were bulging. When the trunk opened, the Officer saw a male concealed underneath a blanket. The vehicle and its occupants were escorted to secondary for further inspection.

In secondary, CBP Officers removed one male individual from the trunk. The male is now identified as **Marco Antonio GONZALEZ-Martinez (Material Witness)**. Material Witness was determined to be a citizen of Mexico with no documents or other benefits that would permit him legal entry into the U.S.

During a videotaped proceeding Defendant was advised of her Miranda Rights. Defendant acknowledged her rights and agreed to answer questions without the benefit of counsel. Defendant denied knowledge of the undocumented alien concealed in the vehicle.

A videotaped interview was conducted with the Material Witness. Material Witness stated he is a citizen of Mexico with no legal documents to enter the United States. Material Witness stated he made the smuggling arrangements with an unknown male. Material Witness stated he paid a fee of \$3,000 USD to be smuggled into the United States. Material Witness stated he intended to travel to Los Angeles to seek employment.